

*PT 57*  
**PATENT COOPERATION TREATY**

1/12.

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

REC'D 04 AUG 2005  
**PCT**  
 WIPO PCT

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)**

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.  
PCT/JP2005/009810

International filing date (day/month/year)  
23.05.2005

Priority date (day/month/year)  
22.05.2004

International Patent Classification (IPC) or both national classification and IPC  
G01R31/319

Applicant  
ADVANTEST CORPORATION

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material:  
 in written format  
 in computer readable form
  - c. time of filing/furnishing:  
 contained in the international application as filed.  
 filed together with the International application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1,9
Inventive step (IS)	Yes: Claims	
	No: Claims	2-8,10-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The following documents are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: WO-A-2004072670  
D2: US-A-6,028,439  
D3: WO-A-2004072669  
D4: US-A-2003/0005375

2. Regarding to novelty and inventive step, the subject-matter of claims 1 and 9 is not new in the sense of Article 33(2) PCT, and the subject-matter of claims 2-8, 10-16 does not involve an inventive step in the sense of Article 33(3) PCT.

2.1. Independent claim 9

Document D1 (the references within parentheses refer to D1) discloses a modular test system (Fig. 2), comprising:

a system controller (Fig. 2, System Controller 102);  
at least one site controller coupled to the system controller (Fig. 2, Site controller(s) 104);  
at least one test module (Fig. 2, Module(s) 108) and its corresponding device under test (Fig. 2, DUT(s) 112);  
a datalog framework configured to support extension of user-defined datalog formats (page 10, lines 14-23, in particular lines 21-22);  
one or more support classes configured to support user-initiated datalog events (page 11, lines 17-30, in particular 28-30; see also page 103, lines 7-11);  
means for receiving a datalog event requesting for communicating input test information from the source to the destination (page 206, lines 21-24);  
means for configuring output test information based upon the destination, the datalog framework and the support classes (implicitly disclosed by the use of the different classes and the use of the user-specified configuration in the module configuration file);

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and

means for transferring the output test information to the destination (page 206, lines 20-24; see also, from page 205, line 27, to page 211, line 5).

Then, the subject matter of claim 9 is not new and does not meet the requirements of Article 33(2) PCT.

2.2. For the sake of completeness the attention of the applicant is drawn to the fact that document D2, in the same technical field, also discloses a modular testing arrangement (D2: Fig. 1) comprising a datalog framework configured to support extension of user-defined datalog formats (D2: Fig. 8, Fig. 9 and from column 14, line 34, to column 16, line 22). Moreover, the attention of the applicant is drawn to Fig. 2 of document D3 also disclosing a modular test system, or document D4, in the same technical field, also disclosing a multi-site test arrangement programmed in C allowing libraries and hierarchies (D4: Fig. 1; paragraphs [0030], [0032] and [0079]).

Therefore, not only in view of D1, but also taking into account D2-D4, the subject-matter of claim 9 is not new and does not fulfill the requirements of Article 33(2) PCT.

2.3. Independent claim 1

Since the subject matter of the corresponding method claim 1 is the same as that one of claim 9, claim 1 is not allowable for lack of novelty (Article 33(2) PCT).

2.4. Dependent claims 2-8 and 10-16

Dependent claims 2-8 and 10-16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step because they consist in the application of well-known design procedures and design alternatives to the person skilled in the art and, therefore, the inventive step has to be ruled out (see Guidelines Part III, Chapter 13, section 13.14(e)).

3. To be also according to the requirements of the PCT, the applicant should also take into account the following remarks:

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- a. Independent claims 1 and 6 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- b. When the international application contains drawings, the technical features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) PCT), which is not the case of the present application.
- c. To meet the requirements of Rule 5.1(a)(ii) PCT, documents D1-D4 should be acknowledged in the description.